



Paper No. 10

CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS  
1420 FIFTH AVENUE  
SUITE 2800  
SEATTLE, WA 98101-2347

**COPY MAILED**

**JUN 06 2002**

**OFFICE OF PETITIONS**

In re Application of  
Wyzgala, et al.  
Application No.: 09/629,771  
Filed: July 31, 2000  
Attorney Docket No.: BSCO114052  
For: EXPANDABLE ABLATION BURR

DECISION ACCORDING STATUS  
UNDER 37 CFR 1.47(a)

This is a decision on the reconsideration petition under 37 CFR 1.47(a), filed March 1, 2002 (certificate of mailing date February 25, 2002).

The petition is **GRANTED**.

Petitioners have shown that the non-signing inventor, Eric B. Hamilton, has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the declaration of Luke Dohmen, Vice President of a party in interest, establishes that the inventor was mailed the application papers, including the specification, claims and drawings, but the inventor failed to respond to several requests that he sign the declaration. Petitioners have submitted a declaration in compliance with 37 CFR 1.63 and 1.64.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This file is being forwarded to Technology Center Art Unit 3732 for examination in due course.

Telephone inquiries should be directed to the undersigned at (703) 308-6712.

E. Shirene Willis  
Petitions Attorney  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy